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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
7

8 UNITED STATES OF AMERICA,

No. CR 06-00375 SI

9 Plaintiff,

**ORDER DENYING DEFENDANT'S
MOTION TO SUPPRESS**

10 v.

11 JORGE ESTRADA,

12 Defendant.
13 _____/

14 On December 15, 2006, the Court heard argument on defendant Jorge Estrada's motion to
15 suppress. Having considered the arguments of the parties and the papers submitted, and for good cause
16 shown, the Court hereby DENIES defendant's motion. As the government argues, the Immigration and
17 Customs Enforcement (ICE) agents had reasonable suspicion of defendant's deportability, and their brief
18 detention of defendant therefore did not violate the Fourth Amendment. As to defendant's Fifth
19 Amendment claim, the Court finds that he was not initially subjected to custodial interrogation by the
20 ICE agents. Consequently, their failure to *Mirandize* defendant at the outset of the encounter does not
21 warrant suppression based on the Fifth Amendment. For the foregoing reasons, the Court DENIES
22 defendant's motion to suppress. (Docket No. 31)

23 **IT IS SO ORDERED.**

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25 Dated: December 18, 2006



SUSAN ILLSTON
United States District Judge